

WSR 24-19-016

PROPOSED RULES

COUNTY ROAD

ADMINISTRATION BOARD

[Filed September 6, 2024, 8:54 a.m.]

Original Notice.

Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).

Title of Rule and Other Identifying Information: Amending WAC 136-60-040, 136-60-050, and 136-60-060 to make changes to the standard of good practice for maintenance of county road logs. Amending WAC 136-161-040 to make changes to the rural arterial program.

Hearing Location(s): On October 24, 2024, at 9:15 a.m., at 6 West Rose Street, Walla Walla, WA 99362. The county road administration board (CRAB) meeting will be held in the Marcus Whitman Hotel. Virtual attendance is available.

Date of Intended Adoption: October 24, 2024.

Submit Written Comments to: Drew Woods, 2404 Chandler Court S.W., Suite 240, Olympia, WA 98504, email Drew.Woods@CRAB.Wa.Gov, by October 18, 2024.

Assistance for Persons with Disabilities: Contact Drew Woods, phone 360-753-5989, TTY 800-883-6384, email Drew.Woods@CRAB.Wa.Gov, by October 18, 2024.

Reasons Supporting Proposal: WAC 136-60-040, 136-60-050, and 136-60-060 are being updated to require a specific frequency of traffic counts on roads carrying over 4,000,000 tons of freight and/or have an average daily traffic over 5,000. Chapter 136-161 WAC is being amended to remove the requirement that CRAB staff who perform preliminary project reviews must be a licensed professional civil engineer.

Statutory Authority for Adoption: RCW 36.78.070.

Statute Being Implemented: RCW 36.78.070 (1) and (6) and 36.79.060(1).

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: CRAB, governmental.

Name of Agency Personnel Responsible for Drafting and Enforcement: Drew Woods, 2402 Chandler Court S.W., Suite 240, Olympia, WA 98504, 360-753-5989; Implementation: Mike Clark or Steve Johnson, 2402 Chandler Court S.W., Suite 240, Olympia, WA 98504, 360-753-5989.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328. Proposed rule relates only to internal governmental operations that are not subject to violation by a nongovernment party.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(3) as the rules relate only to internal governmental operations that are not subject to violation by a nongovernment party; and rules only correct typographical errors, make address or name changes, or clarify language of a rule without changing its effect.

Is exempt under chapter 36.78 RCW.

Scope of exemption for rule proposal:

Is fully exempt.

September 6, 2024
Jane Wall
Executive Director

OTS-5848.1

AMENDATORY SECTION (Amending WSR 03-05-009, filed 2/7/03, effective 3/10/03)

WAC 136-60-040 Validation of annual updates. All control field updates will be subject to review, approval and acceptance (i.e., "validation") by the county road administration board. This process will involve reviewing the submitted documentation and conducting spot-checks as may be necessary. All such updates which are reviewed, approved and accepted by July 1st of each year will be entered into the master county road log. Noncontrol field updates will be entered into the master county road log file without review. The master county road log as of July 1st of each year will be utilized by the county road administration board for general informational purposes and:

- (1) On each odd-numbered year, for computation of motor vehicle fuel tax allocations to the counties;
- (2) Annually, for the computation of county arterial preservation program allocations to the counties; (~~and~~)
- (3) On each odd-numbered year, for computation of rural arterial program allocations to the rural arterial program regions; and
- (4) For submittal of freight and goods route information to be included in required federal and state freight planning reports and studies.

AMENDATORY SECTION (Amending WSR 22-05-015, filed 2/4/22, effective 3/7/22)

WAC 136-60-050 Validation requirements for control fields. Each update of a road log segment that involves a change in a control field (including additions or deletions of road segments) will be validated by the county road administration board. Documentation necessary to support control field changes is as follows:

Function class - Notice of FHWA approval from WSDOT.

Pavement type - Statement signed by county engineer with list of pavement type changes.

Responsible agency - The responsible agency is the legislative authority of the appropriate governmental agency with the authority to make the decision required for the action, or the state or federal government person authorized to approve changes.

Addition of mileage - Official document signed by responsible agency authorizing and describing the circumstances of the addition. For example, additions can occur through county legislative approval of new plat, construction/reconstruction on new alignment, or a change in jurisdiction.

Deletion of mileage - Official document signed by responsible agency authorizing and describing the circumstances of the deletion. For example, deletions can occur through legislative approval of vacations or a change in jurisdiction.

Traffic volume - Statement signed by county engineer with list of segments affected by change in traffic volume above or below 5,000 average daily traffic (ADT). If the ADT is over 5,000, the county shall also submit the traffic counts used to determine the ADT.

Freight and goods - Statement signed by county engineer with list of segments above 4,000,000 tons of freight annually and the traffic counts used to determine the annual tons of freight exceed 4,000,000 tons.

All changes to a control field will be (~~located on appropriate map(s)~~) updated in the approved GIS data set layer with sufficient detail to identify the location of each change. (~~All map(s) furnished in support of control field changes will be forwarded by the county road administration board to WSDOT for future reference and use.~~) This GIS layer will then be forwarded annually to WSDOT for the new federal requirements for Highway Performance Monitoring System (HPMS) and Model Inventory Roadway Elements: Fundamental data elements (MIRE FDE).

NEW SECTION

WAC 136-60-070 Traffic study update frequency. Any traffic counts used to validate that a segment has an ADT over 5,000 or has more than 4,000,000 tons of freight annually shall be updated by December 31, 2025. After December 31, 2025, traffic counts for ADT over 5,000 validation shall be updated a minimum of every two years and a minimum of every four years for annual freight tonnage more than 4,000,000 tons.

OTS-5849.1

AMENDATORY SECTION (Amending WSR 21-22-083, filed 11/1/21, effective 12/2/21)

WAC 136-161-040 RAP program cycle—Field review by county road administration board. After all preliminary prospectuses are received, the county road administration board will schedule and conduct an on-site field review of each project. During the field review, conducted jointly with the county engineer or his/her designee (unless waived by the county engineer), the assigned county road administration board staff person will review the overall project scope with the county representative and, using that region's priority rating process, determine the rating score of all priority elements which are based on a visual examination. To ensure both uniformity and professional judgment in the visual ratings, the assigned county road administration board staff person shall be assigned by the deputy director, and be a licensed professional civil engineer in the state of Washington or have significant experience in the design of road and bridge projects, and the same person shall review and rate all projects within a region. All field reviews will be completed, each project's type will be set, and the visual rating scores returned to each submitting county, by July 1st of each even-numbered year prior to a funding period.